

THE BRITISH COLONIST

Thursday Morning, Nov. 30, 1865

COMMERCIAL

AUCTION SALES THIS DAY.

DANIEL SCOTT & CO. will sell at their rooms, Fane street, near Wharf, in re Petersen, a Bankrupt, Westerly half of Lot 1160 Labourer street, with seven-roomed House thereon—second house from the residence of J. G. Shepherd, Esq.

MARINE INTELLIGENCE.

ENTR'D.

Nov 29—None

CLEARED.

Nov 29—Schr Amer Eliza, San Juan Schr Alpha, Westerly Mills, San Angelos Schr Alpha, George, Nanaimo Canoe, Hannan, San Juan Smit Alexander, Lomoshipuk, Sitka

MARRIED.

On the 29th instant at the residence of the Rev. Mr. Jameson, by the Rev. Mr. G. J. Abbott, F. D. Rodger, and Mr. H. C. East, Inspecting Commander H.M. Coast Guard Service, South, Bute, Somersetshire, England, Mr. and Mrs. Agnes, eldest daughter of R. M. Hutchison, Esq., of Victoria, V. I.

No Cards.

(The printers have to acknowledge receipt of a liberal supply of the usual wedding remittances for the marriage of Mr. and Mrs. Hutchison which we thank our friends for.

THE LEGISLATIVE COUNCIL met yesterday afternoon, at three o'clock, in the Supreme Court. Present:—The Hons. Chief Justice (President), Colonial Secretary, Attorney General, Treasurer, Surveyor General, R. Finlayson, and H. Rhodes. Owing to the pressure of other matters of paramount interest and importance on our columns, we are compelled to epitomise the proceedings as much as possible. The Governor's speech was read. The Hon. Colonial Secretary desired to be informed what were the standing orders governing the proceedings of the Council, as he believed no rules of order existed at all, and the Council were under the impression that the rules regulating the House of Commons were to be followed. He desired to be shorter and more concise rules framed, that, instead of confusion and delay would admit of the most business being done in the shortest possible space of time, and quoted from the Queen's Commission for the Government of the Colony, to show that the Council had the power to frame their own rules. The Hon. Treasurer having explained, as a member of the last committee on standing orders, that the committee deemed it advisable to be guided by the previous minutes of the Council, it was agreed, by a vote of the Hon. Colonial Secretary, that a committee be appointed to draft and frame rules and regulations for the guidance of the Council in the transaction of its business. Hon. Mr. Rhodes moved the appointment of a committee to draft a reply to the Governor's speech. Hon. Attorney General obtained leave to introduce a bill "to amend the law of arrest and imprisonment for debt." The *modus operandi*, he said, was the same as obtained in British Columbia, and it is difficult to see that the two colonies could be separated as far as possible. The bill did not affect the law of arrest but only imprisonment for debt for satisfaction. On motion being made for a second reading, the Hon. Mr. Rhodes and the Treasurer thought the bill should be first printed and a copy submitted to each of the Council, otherwise they would not know what they were passing. The Hon. Colonial Secretary and Att. General contended that the bill was urgently required, and that the principles were well known, and had been fully explained. The Hon. President considered it unseemly in the circumstances that the Council should be asked to adopt the principle of the bill to such haste, and urged more consideration and more deliberation, in order that hon. members who had not received a legal education might not only be in possession of the law while it stands, but what it was proposed to alter. The mover and seconder having replied to the previous remarks, it was agreed, after some further discussion, that the bill do come up for second reading on Wednesday, December 6th. The Hon. Colonial Secretary, Attorney General, and H. Rhodes, were appointed the Committee on Standing Orders: the Hon. Colonial Secretary, Surveyor General, and H. Rhodes, a committee to draft a reply to the Governor's speech; and the Council adjourned until Friday, at three, p.m.

THEATRE.—The complimentary benefit to Mr. A. Fischer, the leader of the orchestra, took place last evening. The performance commenced with the popular comedy of "Time tries All," in which Mrs. Morgan Phelps sustained the character of "Laura Leeson," and Mr. A. R. Phelps that of "Matthew Bates." The principal feature, however, was the entertainment, admirably arranged between the pieces. The last selection from the operas of "Norma" and "Balfe's Bohemian Girl," by Messrs. Goss and Fischer, afforded a rare musical treat, and were enthusiastically applauded. Mrs. Phelps deservedly won an encore in both her songs. A duet on the piano forte by a lady and gentleman amateur, was executed with much brilliancy and delicacy of touch, and a solo on the clarinet by Professor Haynes, from "Sonnambula," was also demanded. The programme terminated with the farce of "The day after the wedding."

NAKAMO ITEMS.—Henry Rankson, a cool miner, was severely injured on Monday, 29th, by jumping from the trucks and striking his head against a beam....A boy named Randall had his leg crushed by the cage of the Douglas pit on Saturday last....The storms of last week were felt with far more severity at Nakamo than here. Great numbers of the largest trees were blown down, people being obliged to leave their houses for fear of being crushed. The ship *Porthcawl* could barely keep off shore with three anchors down. The *Comox* trail is completely blotted out by fallen timber. Capt. Franklin and his crew were killed, and one of Mr. Westwood's was also crushed....Some scoundrels entered Mr. Webb's garden and destroyed a number of young fruit trees....The mucky level of the Douglas pit is driven half a mile from the bottom of the shaft.

THE GAMBLING CASE.—Carlos Dhergues was charged on remand at the Police Court yesterday with being a banker and dealer at the game of monte. Similar evidence to that adduced at the examination of W. H. Wheeler was heard. The prisoner pleaded in extenuation that the country where he came from all played at monte, that was the national game. The Magistrate said that the prisoner was liable to a fine of £100, but as he was not the principal he should fine him the mitigated penalty of £50 to be levied by distress. H. Foster, C. Shears, James Taylor, Solomon Stevens, Antony Goodey and Isaac Johnson were also charged with frequenting gambling houses, and the prisoner pleaded guilty and house. The court remitted them, &c. to be levied by distress. The charge against John Upshur was dismissed as there was not sufficient evidence to convict.

CHURCH GOODS.—Heavy tweed pants at \$2 87½, and woollen cord pants at \$3 at J. H. Brown's, Government street, opposite the Chronicle office.

DANCING CLASSES.—Mrs. Digby Palmer will resume her winter evening Dancing Classes for Ladies and Gentlemen on Wednesday and Saturday evenings, at 9 o'clock, for the class for children will be held at half past three o'clock. The school will meet at Mrs. Digby Palmer's residence, on Douglas street, corner of Fort street. Mr. Palmer presides at the piano forte for both classes. Terms per month—Adults, \$5; Juniors, \$3; Private Lessons—

1½ and, do not allege any reason for supposing that such evidence is procurable, or that such a suit would be maintainable.

Accordingly the Law Officers of the Crown, in the report to which I shall presently refer, have expressed their opinion that after all that has occurred the Crown cannot now dispute the right of the Hudson's Bay Company to regard the land of which they came in possession before 1849 as absolutely their own.

What may be the meaning and effect of the statement is of course open to question, but it is clear that a difference of opinion will be found to exist. I expect to transmit to you shortly the draft of a deed, transferring the Island to the Crown, which will give precision and certainty to some of the provisions which at present are necessarily indefinite. In considering the terms of this Deed I shall require your careful assistance and I shall give my best attention to any recommendations which you may make in the interests of the colony. But the Company were really entitled to treat as private property, and as such, as I have mentioned, which comprises the site of a great part of Victoria and for the sale of which they had no realized enormous sums of money chiefly in consequence of the gold discoveries.

That the negotiations for the repurchase ended in an arrangement intended to settle all these questions and to restore the lands of the colony to the absolute control of the Government.

The question of the Government Reserve is to be put to the company a sum of about fifty thousand pounds, being the reimbursement of the amount by them in Government.

2. That the Emigration Commissioners, on the one side, and the company on the other, executed an Indenture dated 31 February, 1862, containing the following provisions [Colonial pamphlet, pages 41, 42].

(1) "That all sales made by the said Company previous to the first day of January, 1862, of any portions of the land so sold, shall be valid and effectual.

(2) "That the Company shall retain for their own use and benefit the proceeds and purchase monies of all lands so sold by them as aforesaid."

(3) "That the whole of the remaining un-sold land in the Victoria district, lying to the South and West of James Bay, including the site of the new Government buildings, as far as the old fence in the rear thereof dividing it from a farm known as Buxley, Beckley, or Durnell's farm shall be forthwith conveyed and surrendered by the company unto and to the use of Her Majesty Her Heirs and Successors."

(4) "That the Company shall retain for their own use and benefit the proceeds and purchase monies of all lands so sold by them as aforesaid."

(5) "That the whole of the land which was laid before the Crown, which was occupied by copies of your documents and in enclosed in the papers appear to contain all that is to be said on the case, and I do not doubt they were carefully and impartially considered by the Attorney and Solicitor General. But you will observe that the conclusion at which they arrived is that the grant to Mr. Lowenberg cannot be successfully impeached. Much, therefore, as I regret the inconvenience to which the Government may be exposed, I do not see any means by which that deal can be set aside."

The case of Mr. Lowenberg is one of a more complicated kind. I caused that case to be referred to the Law officers of the Crown, and I received from them the report of Captain Irwin's new boat, the *gold, the gold is there in abundance*. Mr. S. says he will give you all the news. I don't get any Victoria papers and would like to hear from you what is going on. * * * We are going to run the boat as long as possible, perhaps all winter. The river does not freeze over, so such portions of land shall be valid and effectual as far as 150 miles up was never known to freeze. The weather at present is warm and pleasant. There have been two frosts so far. The boat was built two miles from the Hudson Bay Company's old fort, and 16 miles from the American Fort or barracks at Colville. This is a flat valley and a pleasant place to live in. The valley is settled principally by French, and they raise almost everything. There are here two flour mills, two saw-mills, a tannery and one distillery. 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NEW GOODS

EX
‘PHILOMELA,’
And other Recent Arrivals.

STATIONERS’ SMALL-WARES

FROM BIRMINGHAM,
With all the modern improvements, comprising
COPYING AND
RENSERS,
Damping Boxes, 1s., 2s., 3s., 4s., 5s., 6s.,
assorted Paper Clips and Weighted Cloth
Box Decks, Writing, 1s., 2s., Cases and Folders;
Giltor’s Steel Pens; Backgammon and Chess
Boards; Chessmen; Dominos; Dice;
Date Calendars; Post Office Scales; Ivory
Pens; Small Case; Ivory Paper
Folders and Tables; Artistic Models;
Mathematical Instruments; Foresters; Scales;
Pocket Compasses; Spring Tape Measures;
Eyelid Machines; Spring Tapes Measures;
Eyelet Machines; Ladies’ Campaigns; In
delible Ink, etc.

—ALSO—

A full assortment of the following
Writing Papers & Envelopes!

Blank Books; Memoranda and Page Books;
Penny’s Music Books; Puff Books;
Arnold’s Copying Books; Faber’s Drawing
Pencils; Arnold’s Copying Ink; Faber’s
Creta Lewis; Arnold’s Carnation; Rodgers
Pocket Cutters and Scissors; Windsor &
Newton’s Water and Oil Colors; Mann’s
Press Copying Books; Scrap Books; Rock
with Pen and Pencil; Filets; Exhibition
Prize Wax; Whatman’s Drawing Paper; Trace
ing Paper; and Cloth; Stationery and
Drawing Paper; Great Mogul Playing Cards;
Bristol Board; Printing and Wrapping Paper;
Tissue and Fancy Papers; Blotting Paper.

Elastic Bands; Muslin; Newspaper Files; Law
yer’s Tape; Note, Draft, Order and Receipt
Books; Bills of Exchange; Bills of Lading;
Bills Payable and Receivable Books; Bills
Legal and Shipping Forms, and other in
numerable documents.

HIBBEN & CARSWELL,
not

BY “CYCLONE” AND RECENT ARRIVALS

FROM LONDON 1

Curling’s Purified COD LIVER OIL, the best
quality prepared.

CURLING’S CATEYE OF MAGNESIA;

Heckitt’s celebrated SEEDLITZ POWDER

Norton’s, Cockles’, Hooper’s, and Worsdell’s
POPPLES;

The One Shilling and Anglo-French FEEDING
BOTTLES;

Keeling’s LOZENGES, VOICE JUJUBES,

CAYENNE, IPSAC, GINGER,

and other MEDICATED LOZENGES

Dinnerford’s and Sir J. Murray’s MAGNESIA;

TOILET POWDERS, POWDERS,

POWDERS, BRUSHES, and PERFUMES

LANGLEY & CO.,
CHEMISTS & DRUGGISTS,

not

YATES STREET, VICTORIA

A. GILMORE,
Merchant Tailor, Yates street, wishes
to inform his friends and the public
that he will commence, on Saturday,
October 7th, to sell his entire stock
of Clothing, Cloths, Cambrics and
Vestings at Cost, to close the business
in the shortest time possible. Terms
Cash. Also his new fireproof Brick
Store and Fixtures, for sale cheap
for Cash.

not Im

Spratt & Kriemler IRON AND BRASS

Founders and Machinists

ALBION IRON WORKS,
VICTORIA, V. I. not

Look! Look! Look!!

THE ‘NEW IDEA’ CONCERT ROOM

Patrick’s Cellar, corner Govern
ment and Johnson streets.

Where will appear a host of

LADY & GENTLEMEN
PERFORMERS.

Come One! Come All!

For further particulars see bills of the day.

DAY & MARTIN’S
REAL JAPAN BLACKING!

97, HIGH HOLBORN, LONDON.

For aforesaid nourishment and durability to th

Leather it stands unrivaled.

Sold by all First Class Houses in British

Colombia and the Colonies.

In Bottles and Tins at 6d., 1s., and 1s. 6d. each.

CAUTION.—D. & M. take the opportunity of
cautioning juries, that they are liable to
severe damages for any damages or
injuries they may sustain by the use of
their Manufactures and Labels.

—Orders through Merchant Houses,
not Im

Caledonian Benevolent Association
ORGANIZED NOV. 11, 1863.

THE ABOVE ASSOCIATION
formed for the benefit of mutual provi
sion and protection, and to aid the poor
and the aged, and to promote the welfare
of Scotland, is now in full working order.

The Association is a sum of money, the pro
ceeds of which are accumulated as a fund to meet
the wants of all their number who may require
the aid of a friend or a relative.

All Scotmen who may desire to join the body
are requested to do so at the office of the
Constitution and Bylaws of the Association, and
the Association meets on the first Friday of each
month.

Persons belonging to hold annual Gathering
for competition in Highland Games, etc.

NOTES TO MEMBERS.—The Bylaws are now
printed and forwarded.

JAMES HENDERSON, Secy.

ADAMSON & HURD,
ACCOUNTANTS,
Real Estate and General Agents,
63, GOVERNMENT street,
VICTORIA, V. I.

Accounts Collected & Loans Negotiated

not Im

DIARIES FOR 1866.

JUST RECEIVED, A FULL ASSORT
ment of Pocket and Counting House Diaries,
comprising

Over 50 different Styles.

HIBBEN & CARSWELL,
not Im

RENTS, DEBTS, &c.

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